

## **EXHIBIT 64**



U.S. Department of Justice

Federal Bureau of Prisons

Federal Medical Center, Devens



P.O. Box 880  
Ayer, MA 01432

April 20, 2004

Colleen O'Donnell  
Inmate Systems Officer  
Federal Medical Center  
Devens, MA 01432

Dear Ms. O'Donnell:

This is notice that I propose that you be suspended for a period of thirty (30) calendar days from your position of Inmate Systems Officer, GS-0007-07 no sooner than thirty (30) days from the date you receive this letter. This proposal is based on the following charges and specifications in support thereof:

CHARGE I: Excessive Unauthorized Absences:

Specification A: Specifically, you were carried in an Absent Without Leave (AWOL) status from February 3, 2003 through June 10, 2003. On January 23, 2003, the Warden granted you twenty-four hours of advanced sick leave, allowing you time to obtain updated medical documentation, to include an assessment of your current clinical status and an estimated expected date of full or partial recovery. This letter further instructed that you must respond by January 31, 2003 or you would be placed in AWOL status beginning February 3, 2003. You failed to respond to this request, and you acknowledge that you were provided documentation detailing the procedures necessary for granting leave.

Specification B: Specifically, you were Absent Without Leave during the period of August 11, 2003 through November 11, 2003. On July 29, 2003, the Warden granted Leave Without Pay (LWOP) from July 30, 2003 through August 11, 2003. The Warden indicated that on August 11, 2003, you must provide updated medical documentation for further consideration for LWOP. On August 11, 2003, you submitted an SF-71 (Request for Leave or Approved Absence), indicating that a doctor's note would follow after your next appointment in September. On August 12, 2003,

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the Warden denied this request for LWOP as you failed to follow instructions for providing the updated medical documentation. You acknowledge receipt of a letter dated August 13, 2003 from your supervisor, indicating that your request for additional LWOP was denied and that you were being placed in an AWOL status. Further, you acknowledge that you were AWOL for the period of August 13, 2003 through November 11, 2003, at which time the Warden granted you administrative leave until November 20, 2003.

CHARGE II: Failure to Follow Leave Procedures:

Specification A: Specifically, during the period of February 3, 2003 through June 10, 2003, you were Absent Without Leave. On January 9, 2003, you spoke with your supervisor via the telephone at which time he explained to you that you had less than two weeks of accumulated sick and annual leave. Your supervisor explained proper procedures for requesting leave from the Warden.

On January 27, 2003, you were given specific information regarding medical documentation that was needed to substantiate your illness and determine your ability to perform the duties of your position. On February 10, 2003, you provided medical documentation that did outline an assessment of your current clinical status; however, did not provide an estimated date of full or partial recovery.

Specification B: Specifically, during the period of August 11, 2003 through November 11, 2003, you were Absent Without Leave. On July 29, 2003, the Warden gave you specific instructions as to the documentation he would need to consider LWOP after August 11, 2003. You failed to follow these instructions and provide updated medical documentation; therefore, subsequent requests for LWOP were denied.

Although you have been counseled on the proper procedures for requesting leave, and the necessary documentation that would be required for the leave to be approved, you continuously failed to provide the requested documentation. It is imperative that staff follow established leave procedures so that the agency can plan and execute its mission.

As an employee of the Bureau of Prisons, in a law enforcement position, you are held to a higher standard of conduct which requires great trust and responsibility. As your supervisor, the fact that you did not report to the institution for your scheduled shift without approved leave has affected my confidence

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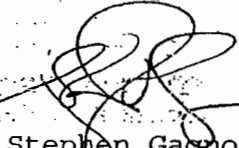
and trust in your ability to perform your assigned duties. Your action can ultimately affect the morale of the entire department as well as the security of the institution.

The Warden will make the final decision on this proposal. You may reply to the Warden orally, in writing, or both orally and in writing. Your reply may include affidavits or other supporting documents. Any reply which you make must be received by the Warden within fifteen working days from the date you receive this letter. Consideration will be given to extending this time limit if you submit a written request, to the Warden, stating your reasons for desiring more time. No final decision on this proposal will be made until after your reply, if any, is received and considered. Your present duty and pay status are not affected by this letter.

You have the right to a representative of your choice to assist you in the preparation and presentation of any reply you may wish to submit. You and your representative, if your representative is an employee of this institution, will be allowed a reasonable amount of official time to review the materials, if copies have not been provided, upon which this action is based and present a reply. You may review these materials during normal office hours by contacting, several hours in advance, the Human Resource Manager of this institution.

Should you have any questions or need assistance in this matter, contact Cynthia A. Lord, Human Resource Manager, extension 1152.

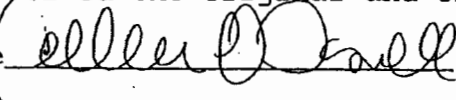
Sincerely,



Stephen Gagnon  
Inmate Systems Manager

I have received the original and one copy of this letter.

Signature



Date

4-19-04

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